(Filed) (13)

IN THE HIGH COURT OF JUDICATURE CHHATTISGARH AT BILASPUR

W.P.NO. 1357 /2004

Petitioner : Trilochan Kewat S/o Jagat Kewat
Aged about 33 years,
Machhua Samiti,
Gram Panchayat, Gotatola,
Tahsil Mohla, District.Rajnandgaon (CG).

Versus

Respondents :

1. State of Chhattisgarh
Through The Director, Panchayat,
Raipur (CG)
2. The Collector, Rajnandgaon
District-Rajnandgaon (CG).
3. The Chief Executive Officer,
Janpad Panchayat, Mohla
District-Rajnandgaon (CG).
4. President/Chairman,
Krishi Samiti, Janpad Panchayat
Mohla, District-Rajnandgaon (CG).
5. Station House Office, Mohla,
District-Rajnandgaon (CG).
6. President,
Jai Mahamaya Machhua Sahkari
Samiti, Gotatola, Tahsil Mohla,
District-Rajnandgaon (CG).

RECEIVED-COPY
8/12/5/04
Clerk to A. G. Bilaspur

शपथ आयुक्त
एन. के. शर्मा
बिलासपुर तहसील कोर्ट
8/12/04

P. R. No. 1357/04
Presented by Shri G.K. Vyas
dated 7.12.04

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(83)

आदेश पत्रक

मामला क्रमांक WP No. 1351/04 सन् 200

.....विरुद्ध.....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	04.06.2004 Shri Bharat Rajput, counsel for the petitioner. Shri Vinod Shrivastava, Govt. Adv. for respondent Nos. 1, 2 & 5. Shri Pankaj Shrivastava, counsel for respondent Nos.3 & 4. Shri Prashant Jaiswal, counsel for the respondent No.6. Heard. The petitioner has preferred this petition under Article 226/227 of the Constitution of India challenging the order dated 05.05.2004 (Annexure P-9) passed by the Director, Panchayat under Section 91 of the Panchayat Raj Adhiniyam read with Rule 3 of Panchayat (Appeal & Revision Rules) 1995. Learned counsel for the respondent No.6 submitted that against the said order dated 05.05.2004 revision is maintainable. Learned counsel for the petitioner submits that he may be granted permission to file the revision, which is not opposed by the counsel for the other side. It is also pointed out by the learned counsel for both the parties that the dispute in the petition is that whether the petitioner had nurtured fish seeds or the respondent No.6.	

[पीछे देखिये

-2-

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

84

आदेश पत्रक

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

Learned counsel for the petitioner submitted that his Society had nurtured the fish seeds.

On the other hand learned counsel for respondent No.6 contends otherwise.

Both the counsel have filed documents in support of their contentions.

Having considered and without expressing any opinion on the merits of the case, in the opinion of this Court, ends of justice will be served if the petitioner is allowed to file a revision within seven days from today along with the application for grant of stay. If such a revision is filed the same shall be decided on its own merits in accordance with law.

Till the filing of the revision status quo as it exists today shall be maintained by both the parties.

With the aforesaid direction, the petition stands disposed of at this stage.

Consequently, M.W.P. No.1210/2004 also stands disposed of.

Certified copy as per rules.

Sd/-
Fakhruddin
Judge